

**PUBLIC HEALTH CODE (EXCERPT)**

**Act 368 of 1978**

**PART 93**

**HEARING AND VISION**

**333.9301 Free hearing and vision testing and screening programs; publicity.**

Sec. 9301. A local health department shall conduct periodic hearing and vision testing and screening programs without charge for children residing in its jurisdiction. The local health department shall publicize the free testing and screening service and the time and place of the clinics.

**History:** 1978, Act 368, Eff. Sept. 30, 1978.

**Compiler's note:** For transfer of certain powers and duties of the bureau of child and family services, with the exception of the women, infants, and children division, from the department of public health to the director of the department of community health, see E.R.O. No. 1996-1, compiled at MCL 330.3101 of the Michigan Compiled Laws.

**Popular name:** Act 368

**333.9302 Duty of parent, guardian, or person in loco parentis; time and frequency of testing and screening.**

Sec. 9302. A parent, guardian, or person in loco parentis of a child shall provide for the child's hearing and vision testing and screening by an agency designated by the local health department. The testing and screening shall be given during an age period and at a frequency specified by the department.

**History:** 1978, Act 368, Eff. Sept. 30, 1978.

**Popular name:** Act 368

**333.9303 Program to assist local health departments; establishment and administration.**

Sec. 9303. (1) The department shall establish and administer a program to assist local health departments in developing and maintaining periodic hearing and vision testing and screening programs for children.

(2) The department may establish and administer a program to assist local health departments in developing and maintaining periodic hearing and vision testing and screening programs for adults.

**History:** 1978, Act 368, Eff. Sept. 30, 1978.

**Popular name:** Act 368

**333.9305 Follow-up treatment; statement; information.**

Sec. 9305. (1) When the result of a hearing or vision testing or screening indicates that a child requires follow-up care, a professional authorized by law, a local health department, or other agency shall present the person bringing the child a written statement clearly indicating that follow-up treatment is required.

(2) The local health department, upon request, shall provide information concerning the availability and sources of vision and hearing treatment required to eliminate or reduce an identified problem.

**History:** 1978, Act 368, Eff. Sept. 30, 1978.

**Popular name:** Act 368

**333.9307 Registration of child for kindergarten or first grade; certificate of hearing and vision testing or screening or statement of exemption required; summary of hearing or vision reports; forms; records.**

Sec. 9307. (1) A parent, guardian, or person in loco parentis applying to have a child registered for the first time in a kindergarten or first grade in a school in this state shall present to school officials, at the time of registration or not later than the first day of school, a certificate of hearing and vision testing or screening or statement of exemption under section 9311.

(2) Before November 1 of each year, the principal or administrator of each school shall give the state and local health departments a summary of the hearing and vision reports at the time of school entry of new entering kindergarten and first grade students. The reports shall be made on forms provided or approved by the department.

(3) Records of testing and screening administered and conducted shall be made and preserved as provided by the department. The records shall be available to health agencies and other persons to assist in obtaining proper and necessary health and educational care, attention, and treatment as permitted by the department. Individual testing and screening records shall be confidential as required by section 2637.

**History:** 1978, Act 368, Eff. Sept. 30, 1978.

**Popular name:** Act 368

### **333.9309 Individual testing and screening to determine hearing efficiency.**

Sec. 9309. If it appears as the result of a testing and screening program that the hearing of a child may be impaired, the department shall conduct or cause to be administered individual testing and screening with approved scientific instruments for determining the hearing efficiency of the child.

**History:** 1978, Act 368, Eff. Sept. 30, 1978.

**Popular name:** Act 368

### **333.9311 Exemption.**

Sec. 9311. A child is exempt from this part if a parent, guardian, or person in loco parentis of the child presents a written statement to the administrator of the child's school stating that the requirement violates the personal religious beliefs of the parent, guardian, or person in loco parentis.

**History:** 1978, Act 368, Eff. Sept. 30, 1978.

**Popular name:** Act 368

### **333.9315 Advisory committee; appointment of members; duties; cooperation of department.**

Sec. 9315. (1) The director may appoint an advisory committee consisting of health professionals in hearing and vision, physicians and optometrists, and individuals representing schools. The advisory committee shall assist the department with hearing and vision programs and shall conform to the requirements of section 2215.

(2) The department shall cooperate with any agency of the state charged with the administration of laws providing for children with disabilities, and with a local health department or other community group in encouraging remedial measures and correctional devices available for children with hearing or vision impairment.

**History:** 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1998, Act 88, Imd. Eff. May 13, 1998.

**Compiler's note:** For transfer of hearing and vision programs advisory committee by type III transfer, see E.R.O. No. 2009-8, compiled at MCL 333.26362.

**Popular name:** Act 368

### **333.9321 Rules.**

Sec. 9321. The department may promulgate rules to implement this part, including the age and frequency for testing and screening under section 9302 and the maintenance and disclosure of records under section 9307.

**History:** 1978, Act 368, Eff. Sept. 30, 1978.

**Popular name:** Act 368

**Administrative rules:** R 325.3271 et seq. and R 325.13091 et seq. of the Michigan Administrative Code.

### **333.9329 Violation as misdemeanor.**

Sec. 9329. A person who violates this part or a rule promulgated under this part is guilty of a misdemeanor.

**History:** 1978, Act 368, Eff. Sept. 30, 1978.

**Popular name:** Act 368